

REMARKS/ARGUMENTS

Claims 1-20 are currently pending in the application.

I. Rejection of Claims 1-20 under 35 U.S.C. §103

The Examiner has rejected Claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,393,486 to Pelavin, *et al.* (hereinafter "Pelavin") and U.S. Patent Application Publication No. 2002/0021675 to Feldmann (hereinafter "Feldmann"). The Applicants respectfully disagree for the reasons given below.

At Item 2 at the middle of page 3 of the Office Action, the Examiner recognizes that:

Pelavin did not explicitly disclose an active route to a domain becoming a withdrawn route on an indication based on loopback address associated with the nodes {autonomous systems} through which the said withdrawn route passed, of a reachability of said each of said nodes...

To cure this deficiency of Pelavin, the Examiner cites paragraph [0036] of Feldmann. Paragraph [0036] of Feldmann states:

...Each BGP advertisement concerns a particular prefix and includes a list of ASes along the path, as well as other attributes. BGP advertisements are then exchanged (*sic*) over BGP sessions between pairs of routers...The ISP employs local policies to...decide whether to advertise this route to neighboring ASes. BGP policies can filter unwanted advertisements...BGP export policies determine whether, and what, to advertise to each BGP peer...The remote end point is identified by IP address which may correspond to a particular interface or the loopback address...

At Item 2 at the top of page 4 and at Item 11 at the top of page 12, the Examiner states:

BGP is a distance vector protocol that constructs paths by successively propagating reachability information (I.E advertisements)...BGP policies can filter unwanted advertisements (I.E "disqualifying alternative routes") and assign local preferences based on variety of attributes.

While paragraph [0036] of Feldmann teaches that the advertisements include a list of autonomous systems along a path, paragraph [0036] does NOT teach that these autonomous systems are necessarily reachable. Paragraph [0036] of Feldmann teaches that the advertisements merely include a list of autonomous system, irrespective of the reachability of each autonomous system. Furthermore, paragraph [0036] of Feldmann is explicit in teaching that a decision to advertise a route is based on local policies of an ISP or BGP export policies. There is no teaching in paragraph [0036] that these policies even consider reachability of each autonomous system and, as such, these policies can NOT disqualify routes based on indications of reachability of a node. As such, filtering unwanted advertisements does NOT disqualify routes based on indications of reachability as the Examiner asserts as recited in pending independent Claims 1, 8, and 15.

The only mention of loopback addresses in paragraph [0036] is, as noted above, that a remote endpoint is identified by an IP address which may correspond to a loopback address. There is no teaching in paragraph [0036] of Feldmann that these loopback addresses corresponding to IP addresses of remote endpoints indicate a reachability of a node. As such, even if paragraph [0036] of Feldmann taught disqualifying routes based on indications of reachability of a node, it does NOT teach that the indications are based on a loopback address as recited in pending independent Claims 1, 8, and 15.

Since the cited portion of Feldmann does not teach the limitations the Examiner recognizes that the cited portions of Pelavin does not teach, the cited combination of the cited portions of Pelavin and Feldmann, as applied by the Examiner, does not provide a *prima facie* case of obviousness for pending independent Claims 1, 8, and 15 and Claims that depend thereon.

Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 1-20 and allow issuance thereof.

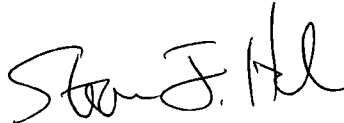
II. Conclusion

In view of the foregoing remarks, the Applicants respectfully submit that all of the Claims currently pending in this application are in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-20.

The Applicants request the Examiner to telephone the undersigned agent of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, PC

A handwritten signature in black ink, appearing to read "Steven J. Hanke".

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